

Exhibit E

Subject: WCF v. Shrem

Date: Wednesday, March 27, 2019 at 10:18:48 AM Pacific Daylight Time
From: Donald Pepperman
To: Tyler Meade
CC: Sam Ferguson, Seena Forouzan, Brian Klein, Teresa Huggins

Tyler:

This will respond to your email asking additional questions concerning your deposition in the WCF case.

On March 21, 2019, in the spirit of cooperation and as part of what you characterized as the meet-and-confer process, we provided you with a list of the “topics” we plan to cover at your deposition. (We, of course, reserve our right to ask you about additional topics, although the ones provided are what we intend to cover.) You now want an additional preview of your deposition. Although we have no obligation under the Federal Rules to give you one, as a professional courtesy, we will provide you with additional information below in response to your inquiries.

As you are aware, almost 6 years ago, you sent a letter (dated July 23, 2013) to our client demanding that he communicate with you about the substance of the pending dispute with WCF. In your letter, you acknowledged that Mr. Shrem denied owing any money/bitcoin to WCF and that his “denial is noted.” Nevertheless, you went on to state that Mr. Shrem’s conduct was “actionable” because he was negligent and/or engaged in intentional misconduct. Your letter concludes: “I and my client look forward to hearing from you promptly.” As you are also aware, Mr. Shrem testified at his deposition (which you conducted) that you and Mr. Shrem ultimately had a telephone conversation. You chose not to further examine Mr. Shrem about that conversation at his deposition. One of the reasons for your deposition is to question you about that letter and to discover what you have to say about your call with Mr. Shrem, as well as contact you had with attorneys representing BitInstant and/or Shrem. Regarding the latter, you emailed with the Perkins Coie law firm about this matter in August 2013. Regarding your July 2013 letter, it is also relevant if WCF, or you on its behalf, intend in this litigation to attempt to deny that such a conversation with Shrem took place, or deny facts asserted in your letter.

Please confirm you intend comply with the outstanding subpoena and appear at the scheduled deposition.

Don

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